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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/551,789(UNOFFICIAL) |
| | Filing Date | October 3, 2005 |
| | First Named Inventor | Michael Thomas CLANDININ et al. |
| | Art Unit | |
| | Examiner Name | |
| Total Number of Pages in This Submission | 30 | Attorney Docket Number PAT 978W-2 |

| ENCLOSURES (Check all that apply) | | |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
|--|---------------------------|-----------------|
| Firm Name | Borden Ladner Gervais LLP | |
| Signature | | |
| Printed name | Kathleen E. Marsman | |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: CLANDININ, Michael, Thomas; PARK, Eek, J.
Serial No.: 10/551,789(UNOFFICIAL)
Filed: March 12, 2004
Title: FORMULATIONS FOR MEDIATING INFLAMMATION AND FOR
REDUCING BLOOD CHOLESTEROL

Group:
Examiner:
Attorney Ref.: PAT 978W-2 US

March 20, 2006

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Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449, attached hereto.

II. COPIES**(check at least one box)**

- ☒ a. No U.S. patent or published application copies are enclosed.
Where applicable, submitted herewith is a legible copy of (i) each Foreign patent or application; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- ☐ b. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search

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Page 1 of 4
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Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- ☒ a. DOCUMENTS IN THE ENGLISH LANGUAGE
The attached patents, publications, or other information in the English language do not require a statement of relevancy.
- ☐ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE
A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:
- ☒ c. ENGLISH LANGUAGE SEARCH REPORT
An English language version of the search report or action that indicates the degree of relevance found by the foreign Patent Office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A) (3).
- ☐ d. OTHER
The following additional information is provided for the Examiner's consideration.

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97 (b):

(check one box)

- ☒ a. Each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than thirty (30) days prior to the filing of this IDS; or
- ☐ b. Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97 (b) (2)). No fee or statement is required.
- ☐ c. Concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53 (d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97 (b) (4)). No fee or statement is required.
- ☒ d. Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97 (b) (3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under

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37 C.F.R. § 1.97 (e) below, or, if no statement has been made, charge our deposit account in the amount of **\$180.00** as required by 37 C.F.R. § 1.17 (p).

- ☐ e. Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97 (b) (4)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97 (e) below, or, if no statement has been made, charge our deposit account in the amount of **\$180.00** as required by 37 C.F.R. § 1.17 (p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97 (c):
(check one box)

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- ☐ b. See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97 (e)
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The undersigned hereby states that

- ☒ a. Each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS;
- ☐ b. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of the IDS.
- ☐ c. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart from a

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foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in the 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES

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- ☐ Please charge Deposit Account No. 501593 in the amount required by 37 C.F.R. § 1.17 (p) for the above-indicated fee. A duplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 501593.

If the preceding amount is incorrect, any deficiency or overpayment should also be charged or credited to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,
Michael Thomas CLANDININ et al



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DLC/JLD/jld
Encls.

- ☒ PTO-1449
- ☒ References (4)
- ☒ Foreign Search Report

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|---|---|----|---|---|------------|
| Form PTO-1449 SUPPLEMENTAL OR INFORMATION DISCLOSURE STATEMENT | | | | Complete if Known | |
| | | | | Application No.: 10/551,789(UNOFFICIAL) | |
| | | | | Filing Date: October 3, 2005 | |
| | | | | First Named Inventor: Thomas Michael CLANDININ et al. | |
| | | | | Group Art Unit: | |
| Examiner Name: | | | | | |
| Sheet | 1 | of | 1 | Attorney Docket No.: | PAT 978W-2 |

U.S. PATENT DOCUMENTS

| Examiner Initials | Cite No. | Document No. | Date of Publication mm-dd-yyyy | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------|----------|--------------|--------------------------------|---|---|
| /ESO/ | | 5,190,925 | 03-02-1993 | Della Valle F et al | |
| /ESO/ | | 4,762,822 | 08-09-1988 | Ettinger | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. | Patent Document No. | Date of Publication mm-dd-yyyy | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | Check if English Translation is attached |
|-------------------|----------|---------------------|--------------------------------|---|--|--|
| /ESO/ | | WO 02/45740 A | 06-13-2002 | Children's Memorial Hospital | | <input checked="" type="checkbox"/> |
| | | | | | | |

OTHER DOCUMENTS

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|--|--|---|
| | | Sugimoto, et al., "Total Synthesis of gangliosides GM1 and GM2", <i>Carbohydrate Research</i> , Vol. 156, 1986, pages C1-C5, XP001053330. |
| | | |

| | |
|---|-----------------------------|
| Examiner Signature: /Eric Olson/ | Date Considered: 10/29/2008 |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant. | |